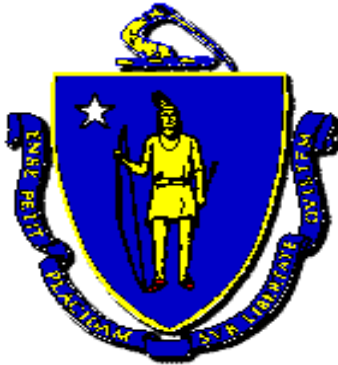


The Commonwealth of Massachusetts
Disabled Persons Protection Commission

300 Granite Street · Suite 404 · Braintree · Massachusetts · 02184



DPPC
Quarterly Report
April - May - June
2012

Report suspected abuse of persons with
disabilities to the DPPC 24 hour Hotline
1-800-426-9009
1-888-822-0350 TTY

DPPC OVERVIEW

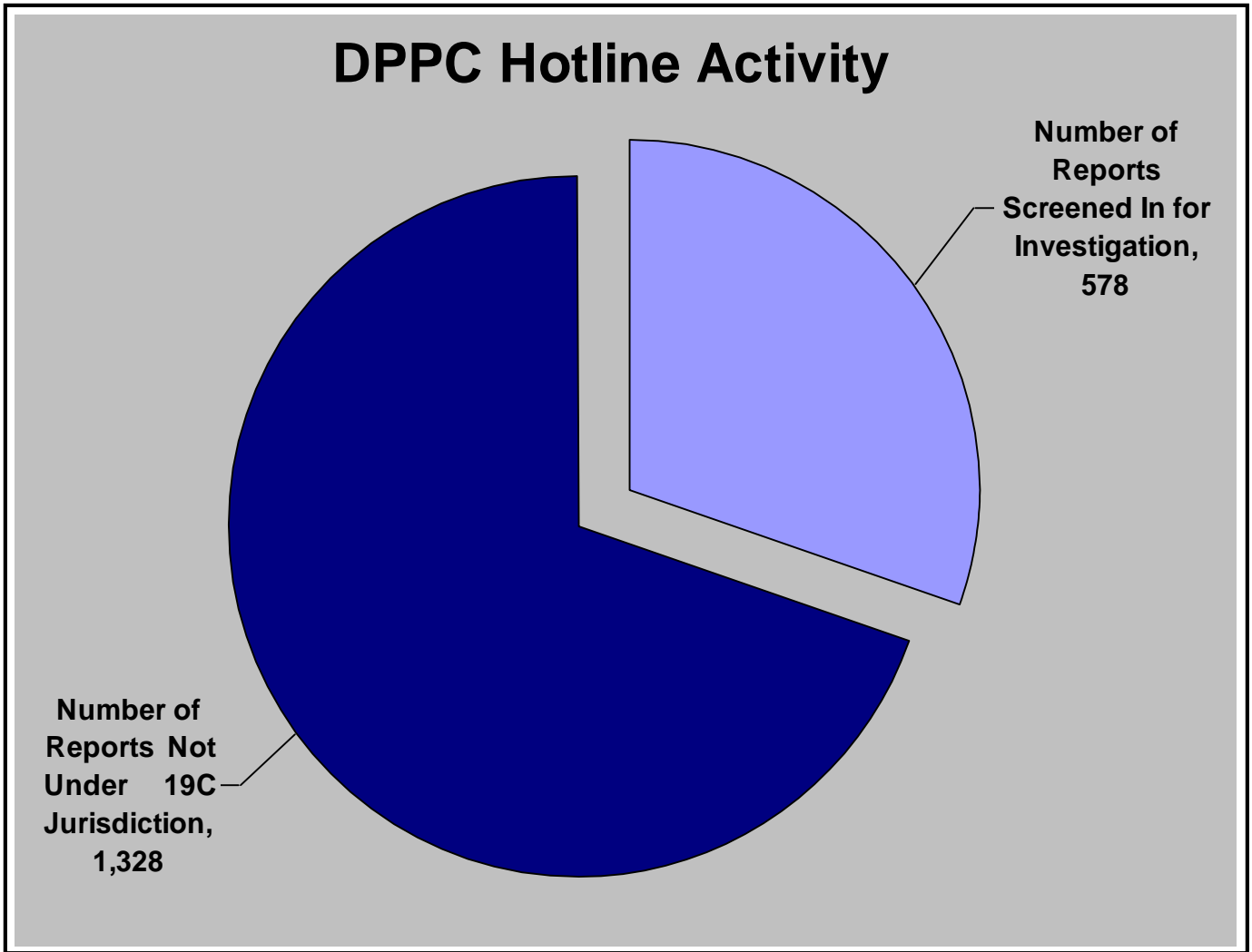
Every month, the DPPC receives hundreds of abuse reports. These reports are maintained and tracked using an extensive computer database. In the DPPC database, over 500 pieces of information related to each report are maintained. The information ranges from basic demographic information regarding the people involved, including the victim, to specific information about the site of the alleged abuse and other factors that may have contributed to the abuse. The DPPC tracks different types of injury, and information about whether an injury was caused by abuse or neglect. In addition to the hundreds of other categories, the DPPC tracks whether the alleged abuse or neglect reported represents a crime. Information in the database is analyzed continually in an effort to identify potential preventative measures to be implemented and/or , trends and systemic challenges needing attention. On a quarterly basis a portion of the data is calculated and provided for review. In addition to providing the quarterly statistical data, for those of you who are not familiar with the DPPC, this report also presents the history, mission and an overview of the operations of the Agency.

The DPPC was created through legislation in 1987 as an independent state agency responsible for the investigation and remediation of instances of abuse against persons with disabilities. The mission of the DPPC is to protect adults with disabilities from the abusive acts and omissions of their caregivers through investigation, oversight, public awareness and abuse prevention. Pursuant to its enabling statute, M.G.L. c. 19C, the jurisdiction of the DPPC extends to adults with disabilities between the ages of 18 and 59 who suffer serious physical and/or emotional injury through an act and/or omission by their caretaker (s). This protection is provided whether the individual is in state care or in a private setting.

Although an independent agency, DPPC was designed to be one of a number of agencies with complementary missions, including, but not limited to the Executive Office of Elder Affairs,

Department of Children and Families, Department of Developmental Services, Department of Mental Health, Massachusetts Rehabilitation Commission and the local and state police. Replacing none of them, the DPPC was designed to closely coordinate its work with all. The DPPC, similar to the Department of Children and Families for children and the Executive Office of Elder Affairs for elders, acts to protect adults with disabilities who are dependent on others to meet a daily living need. DPPC fills the gap between the child protection and elder protection systems. DPPC is a small agency, located in Braintree, MA. It has a staff of **28** full time employees including **five** investigators, **one** law enforcement liaison/abuse prevention coordinator, **five** oversight officers and **three** hotline operators. The DPPC is comprised of six functions including Prevention, Intake/ Oversight, Investigation, Legal, Information Technology and Administration and Finance. During fiscal year 1998, a State Police Detective Unit (SPDU) was established within the DPPC. The SPDU is comprised of a Detective Lieutenant and four troopers. The SPDU is physically located within the offices of the DPPC.

The DPPC Hotline receives reports of abuse committed against persons with disabilities 24 hours per day, seven days per week, at 1-800-426-9009 or 1-888-822-0350 TTY. During this quarter the DPPC received **1906** reports of abuse. In addition, DPPC staff responded to approximately **1,312** referral and informational requests. Every abuse report made to the Hotline is reviewed pursuant to the DPPC screening criteria. A determination is made regarding whether the report represents an emergency or non-emergency, and then, whether the situation meets the agency's jurisdictional criteria. During this quarter of the fiscal year, **578** of the reports to the DPPC Hotline were assigned for 19C investigation. Also during this quarter of the fiscal year, **1,328** reports not within the jurisdiction of the Commission were forwarded to the appropriate state agency for review and action as necessary.



During this Quarter three reports received by the DPPC Hotline were identified as malicious reports.

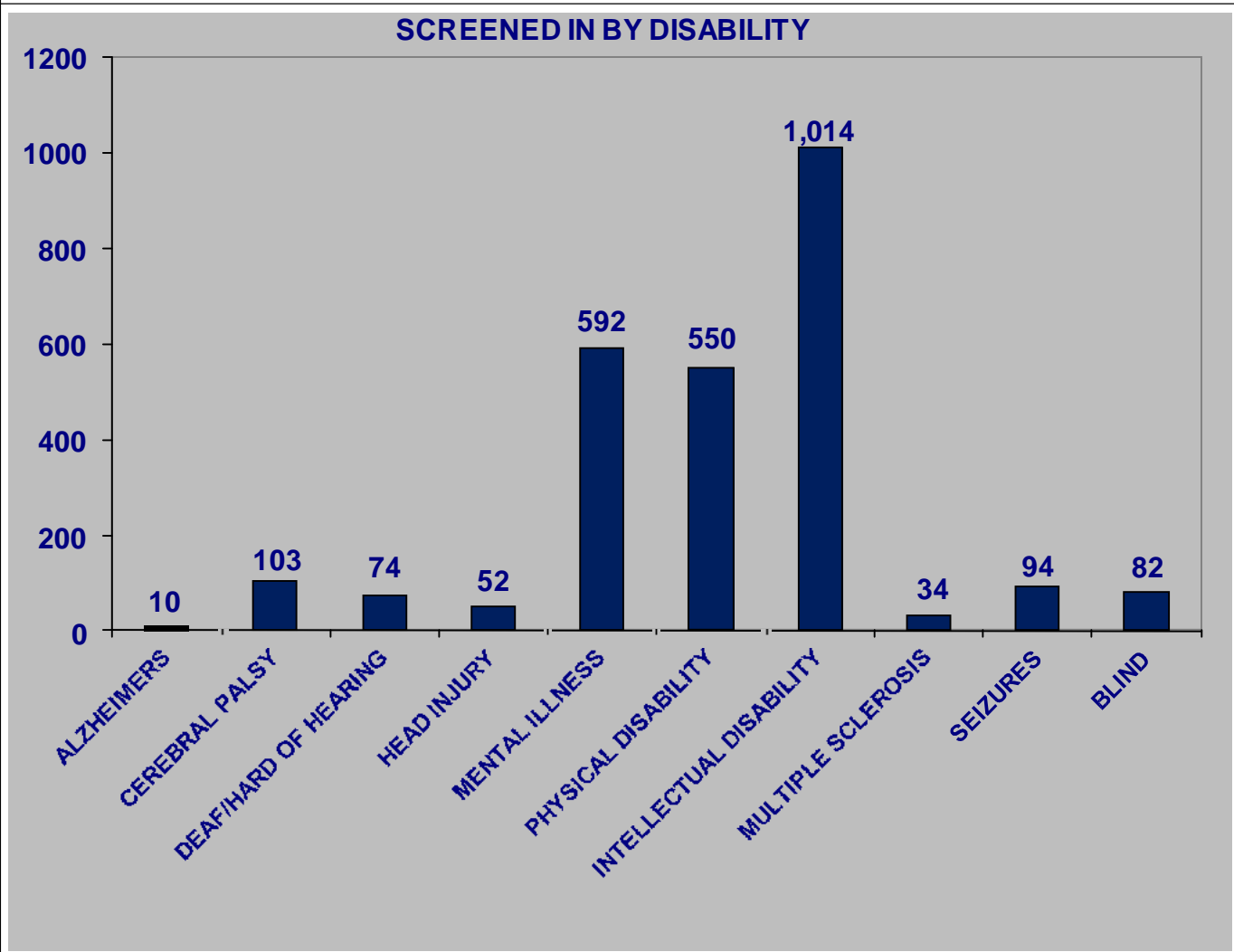
DPPC INVESTIGATION UNIT

Reports of alleged abuse determined to be within the jurisdiction of the DPPC are immediately assigned to a 19C Investigator and a DPPC Oversight Officer. The 19C Investigator may be one of DPPC's Investigators or an Investigator from the Department of Developmental Services (DDS), Department of Mental Health (DMH) or the Massachusetts Rehabilitation Commission (MRC). The DPPC Investigation Unit and the Investigation Units of DDS, DMH and MRC conduct abuse investigations under the authority of M.G.L. c. 19C. The primary focus of all 19C investigations is the protection of vulnerable individuals. Investigators also look for systemic issues that may contribute or lead to abuse.

DPPC OVERSIGHT UNIT

The DPPC Oversight Unit is responsible for monitoring all 19C investigations. Every case, whether investigated by DPPC, DDS, DMH or MRC, is monitored by one of DPPC's **five** Oversight Officers to ensure that the victim is safe, the report is timely and the investigation is thorough. In cases where abuse by a caregiver has been substantiated, protective services are provided by the respective service-providing agency, DDS, DMH or MRC. To confirm that necessary protective services are implemented, the DPPC Oversight Officers monitor cases until risk of harm to the victim is adequately reduced or eliminated.

The DPPC protects individuals with any form of disability. This chart illustrates abuse reports to the DPPC Hotline by disability for this quarter.



STATE POLICE DETECTIVE UNIT

The troopers of the SPDU review 100% of the complaints received by the DPPC to determine which of these complaints constitute criminal activity against a person with a disability. Within this quarter the SPDU reviewed **1,906** allegations of abuse. Of the **1,906** reports reviewed, **321** or **16.7%** were referred to the District Attorney for criminal investigation and criminal charges were filed in at least **29** cases. The following graph is a breakdown by county of the number of reports received by the DPPC Hotline, reports meeting the jurisdiction for 19C investigation, and the number of reports referred to the District Attorney for criminal investigation.

Disabled Persons Protection Commission 19C Criminal Reports by County



MASSACHUSETTS STATE POLICE

The Massachusetts State Police Detective Unit (SPDU) assigned to the DPPC analyzes the types of crimes involved in the abuse reports received by the DPPC Hotline. This chart presents the types of criminal activity reported. Consistently a significant percentage of the criminal activity is sexual in nature.

Criminal Activity Report April - June 2012

Often reports to the DPPC Hotline involve domestic violence. Domestic violence is abuse that often takes place where the person lives. Domestic violence can be any type of abuse including sexual assault and rape, emotional, psychological or financial. Domestic violence involves "family and household members" who are or were married, living together, related by blood, parents of a common child or involved in a substantive dating relationship. During this quarter it was determined that **79** reports made to the DPPC Hotline involved domestic violence abuse.

LEGAL UNIT

The DPPC Legal Unit provides legal advice and guidance on matters before the DPPC. This includes assistance provided to DPPC staff and staff of the Department of Developmental Services, the Department of Mental Health and the Massachusetts Rehabilitation Commission.

In addition the Legal Unit performs the following functions within the DPPC:

- Secures Access Warrants when law enforcement and/or 19C investigators are unreasonably denied access to an alleged victim of abuse.
- Obtains judicial Protective Orders when an alleged victim of abuse is at immediate risk of harm and is not able to consent to the provision of protective services due to a mental or physical impairment.
- Responds to reports of Mandated Reporters' failure to report abuse as required by M.G.L. c. 19C §10.
- Completes Petitions for Review as outlined in 118 CMR. The alleged victim, the alleged abuser and other parties involved in an investigation, may request a review of the findings. Upon the conclusion of the review process, the investigation report may be amended if the facts provided in the Petition are found to be meritorious. The DPPC received **29** Petitions for Review during this quarter.
- Acts as the DPPC's Keeper of the Record and ensures that all responses to requests for DPPC records are compliant with all statutory requirements.

ABUSE PREVENTION UNIT

Everyone at DPPC shares in the responsibility for preventing abuse. DPPC continually strives to identify new and effective ways to educate direct care staff, law enforcement, others working with persons with disabilities and the public about the prevalence of abuse of persons with disabilities. The DPPC's abuse prevention strategy is to decrease incidents of abuse by increasing awareness about how widespread the problem of abuse/neglect against persons with disabilities is; and then to educate people regarding the important role they can play in preventing or stopping this abuse. To educate people the DPPC Prevention Unit distributes 19C informational materials and conducts training on an ongoing basis. Training is provided to a broad range of people including law enforcement, educators, medical professionals, service providers and persons with disabilities. Topics include recognizing and reporting abuse, preservation of evidence, the DPPC investigation process, communicating with individuals from varied backgrounds or with differing communication needs as well as regulatory and statutory compliance.

MASSACHUSETTS AGENCIES PARTNER FOR CRIME VICTIMS WITH DISABILITIES

In May of 1999 a partnership was formed in Massachusetts between law enforcement and human service agencies in an effort to effectively and efficiently address abuse, neglect and crimes committed against persons with disabilities. “Building Partnerships for the Protection of Persons with Disabilities,” is a unique initiative which affords equal access to the criminal justice system for crime victims with disabilities. The initiative, which uses a multidisciplinary approach to address crimes against persons with disabilities, was conceived and implemented thanks to the foresight of Elizabeth D. Scheibel, District Attorney of the Northwestern District and Gerald J. Morrissey, Jr., then Commissioner of the Department of Developmental Services (DDS), through the commitment of the Disabled Persons Protection Commission (DPPC) and the support of the Executive Office of Health and Human Services (EOHHS). The statewide partnership is funded through an Executive Office of Public Safety (EOPS) Byrne grant and administered by the Massachusetts District Attorneys' Association (MDAA).

The partnership initiative brings together, through formal Memorandums of Understanding (MOU), the District Attorney, human service organizations and law enforcement agencies in each county. The goals of the initiative are to provide protection, treatment and continuity of care for persons with disabilities who are victims of a crime; to increase awareness of crimes being committed against persons with disabilities; to increase communication and co-operation between law enforcement and agencies providing services to persons with disabilities; and to ensure that crimes committed against persons with disabilities are promptly reported, investigated by trained law enforcement personnel and prosecuted when appropriate.

With the MOU, in FY 2012, **1,243** cases were investigated criminally resulting in at least **138** criminal complaints. Of those **1,243** criminal cases, **265** were crimes of a sexual nature. The following graph depicts the increase in abuse reports referred to the district attorneys for criminal investigation and possible prosecution for FY 1997 through 2012.

The DPPC's staff thanks you for taking the time to review this quarterly report. If you have questions or require additional information, please do not hesitate to contact the DPPC, at (617) 727-6465.

DEVAL L. PATRICK
GOVERNOR

CARLA A. GOODWIN,
Ph.D.
CHAIRPERSON

TIMOTHY P. MURRAY
LT. GOVERNOR

JO ANN SPRAGUE
COMMISSIONER

The Commonwealth of Massachusetts
Disabled Persons Protection Commission
300 Granite Street Suite 404 Braintree MA 02184
Office Hours: 8:45 am - 5:00 pm Monday - Friday
(617) 727-6465 (888) 822-0350 TTY (617) 727-6469 FAX
24 Hour HOTLINE: (800) 426-9009 or (888) 822-0350 TTY
WEBSITE: <http://www.state.ma.us/dppc>

NANCY A. ALTERIO
EXECUTIVE DIRECTOR